

STATE OF INDIANA)
)SS:
)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER: 10806-BB12-0127-002

IN THE MATTER OF:)

James A. Penn III,
Respondent / Bail Agent.)

114 N. Delaware Street)
Indianapolis, IN 46204)

Type of Agency Action: Bail Agent Enforcement
Indiana Bail Agent License No.: 5278

FILED

FEB 10 2012

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance Bail Bond Division ("Division"), by its counsel, Robert L. Hummel, and Gregory Bowes, attorney for James A. Penn III ("Respondent"), a licensed bail agent, signed an Agreed Entry which purports to resolve all issues involved in an investigation by the Division and which has been submitted to the Commissioner of Insurance ("Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

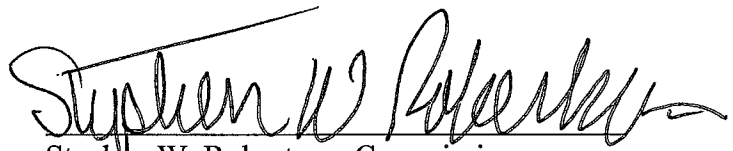
IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall pay restitution to Kelly Williams in the amount of two thousand three hundred and forty-two dollars and twenty-seven cents (\$2,342.27) by personal check or money order made payable to Ms. Williams

and submitted to the attention of Investigator Mike Herndon, Indiana Department of Insurance, within thirty (30) days after the date of this Final Order.

2. Respondent shall pay a civil penalty in the amount of three thousand five hundred dollars (\$3,500.00) payable by personal check or money order to the Division within six (6) months after the date of this Final Order.
3. Respondent's bail agent license is subject to a probationary period of six (6) months, beginning on the date of this Final Order.
4. ~~Respondent shall submit a letter to Attorney Hummel stating what Respondent did wrong in this case and explaining what procedure he should have followed. The letter will be used as an instructional resource for other bail and recovery agents in Indiana including posting on the Department's website. The letter is subject to approval by the Commissioner. Respondent agrees to submit the final draft of the letter to Attorney Hummel within thirty (30) days after the date of this Final Order.~~
5. Respondent waives his right to petition for judicial review of this Final Order.

ALL OF WHICH IS ORDERED this 10th day of February, 2012.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Gregory Bowes, Esq.
Bowes & Associates
6311 E. Westfield Blvd., Suite 205
Indianapolis, IN 46220

Robert L. Hummel, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204